IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

L.P.A. No. 348 of 2004
in
Writ Petition No.6609 of 2003
with
Civil Application No. 341 of 2004

Cummins (I) Limited ..Appellant

vs.

Bhimrao Sahebrao Jagtap
and another ..Respondents

Mr.C.U.Singh with Ms.Mosam Mody i/b M/s Haresh Mehta & Co. for appellant
Mr.Kiran Bapat for respondents.

CORAM: A.P.SHAH
& S.U.KAMDAR JJ.
6th August,2004

P.C.

1. We have heard the learned counsel for the parties at some length. Both the learned Counsel, without prejudice to their rights and contentions, agree for the following arrangement.

2. There shall be stay of the orders of the Labour Court and Industrial Court subject to the following:

i) The appellant company shall deposit in this Court within four weeks from today the wages for the period from 7th August, 2002 to 10th June, 2003 at adhoc rate of Rs.10,000/- p.m. and the

Registrar General shall invest this amount in a fixed deposit with any Nationalised Bank initially for a period of one year and thereafter if necessary to renew the same on year to year basis.

ii) The appellant company shall pay to the first respondent wages at the adhoc rate of Rs.10,000/- p.m. from 10th June, 2003 till the writ petition is finally decided by the learned single Judge. It is agreed that the amount paid by way of ad-hoc wages shall not be refundable in the event of dismissal of the writ petition.

3. The learned single Judge is requested to hear the petition expeditiously and preferably within a period of six months. The learned Counsel are at liberty to apply to the learned single Judge for a fixed date of hearing.

4. Appeal stands disposed of in the above terms.

5. In view of the order passed in appeal the civil application does not survive and hence rejected.

6. Parties to act on an ordinary copy of this order duly authenticated as true copy by the Sheristedar/P.S. of this Court.